

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**

Wednesday, October 18, 2006 – 2:00 p.m. – Room W020 House Building

Members Present:

Sen. D. Chris Buttars, Chair
Rep. DeMar "Bud" Bowman, Chair
Sen. Allen Christensen
Sen. Fred J. Fife
Sen. Mark B. Madsen
Rep. J. Stuart Adams
Rep. D. Gregg Buxton
Rep. Patricia W. Jones
Rep. David Litvack
Rep. Curtis Oda
Rep. Paul Ray
Rep. Jennifer M. Seelig

Members Absent:

Rep. LaVar Christensen
Rep. Michael T. Morley

Staff Present:

Mr. Stewart E. Smith, Policy Analyst/Special Projects Mgr.
Ms. Susan Creager Allred, Associate General Counsel
Ms. Wendy Bangerter, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Buttars called the meeting to order at 9:10 a.m. He announced that the bills to be presented would be voted on at the November 15, 2006 interim meeting.

MOTION: Sen. Christensen moved to approve the minutes of the September 20, 2006 meeting. The motion passed unanimously. Rep. Oda was absent for the vote.

2. Utah Department of Corrections Update

Mr. Scott Carver, Executive Director, UDC (Utah Department of Corrections), introduced the Adam Walsh law.

Mr. William Fowlke, Director, Adult Probation and Parole, distributed "Department of Corrections Update - Adam Walsh Act of 2006." He reviewed with the Committee some of the federally mandated requirements of the "Adam Walsh" law that will require changes in Utah programs. He also reviewed factors that will alter the UDC budget. He updated the Committee on the current status of the sex offender registry in Utah.

Ms. Machel Rodriguez, Manager, Utah Sex Offender Registry, described the purpose of the sex offender registry. She stated that Utah's registry is a public resource and has been integrated into the national registry.

3. Internet Sexual Predators

Representative Paul Ray reviewed current Utah law and 2007 General Session draft legislation, "Internet Sexual Predator Penalties," that would make an online enticement to commit any level of sexual offense a second-degree felony, and would increase any subsequent offense to a first-degree felony. He noted an amendment he will add to the draft.

Committee discussion followed.

4. Driver License or Identification Card Requirement for Sex Offenders

Representative Paul Ray introduced and explained 2007 General Session draft legislation, "Driver License or Identification Card Requirement for Sex Offenders," that would require a person registered as a sex offender to maintain a current identification card if the person does not have a current Utah driver license.

Committee discussion followed.

5. Organized Retail Theft

Representative Paul Ray reviewed 2007 General Session draft legislation, "Organized Retail Theft," that includes the criminal offense of retail theft in the statutory definition of "a pattern of unlawful activity" and provides that persons found guilty of a pattern of unlawful activity may be ordered to pay restitution for property obtained.

Committee discussion followed.

6. Mortgage Fraud

Representative Paul Ray reviewed 2007 General Session draft legislation, "Mortgage Fraud," that would create a crime of real estate fraud and would include this crime under the Pattern of Illegal Activity Act. The bill would establish a real estate fraud prosecutor and two investigators in the Office of the Attorney General.

Committee discussion followed.

7. Other Items/Adjourn

Mr. Jacob Hancock, student, introduced a group of journalism and public relations students from Brigham Young University who were visiting the meeting.

MOTION: Rep. Oda moved to adjourn the meeting. The motion passed unanimously.

Chair Buttars adjourned the meeting at 10:05 a.m.